

REMARKS

Claims 1-18 are pending. In the non-final Office Action of July 13, 2007, the Examiner made the following disposition:

- A.) Rejected claims 15-28 and 41-48 under 35 U.S.C. §101.
- B.) Rejected claims 1-43, 45, and 47-48 under 35 U.S.C. §103(a) as being unpatentable over *Gheith* (U.S. 7,082,454) in view of *Gupta, et al.* (U.S. 6,553,461) ("Gupta").
- C.) Rejected claims 44 and 46 under 35 U.S.C. §103(a) as being unpatentable over *Gheith* in view of *Gupta* and *Copeland, et al.* (U.S. 6,615,235) ("Copeland").

Applicants respectfully traverse the rejections and address the Examiner's disposition below.

A.) Rejection of claims 15-28 and 41-48 under 35 U.S.C. §101:

Claims 15-28 have been amended as per the Examiner's request to overcome the rejection.

Claims 41-48 have been canceled.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

B.) Rejection of claims 1-43, 45, and 47-48 under 35 U.S.C. §103(a) as being unpatentable over *Gheith* (U.S. 7,082,454) in view of *Gupta, et al.* (U.S. 6,553,461) ("Gupta"):

Applicants respectfully disagree with the rejection.

Applicants' counsel hereby confirms the invention of the present application was subject to an obligation to assign to the common assignee of *Gupta*, namely Sun Microsystems, Inc., at the time the present invention was made. Therefore, *Gupta* is not properly used in a rejection under 35 USC §103.

For at least this reason, *Gheith* in view of *Gupta* fails to disclose or suggest claims 1-40.

Claims 43, 45, and 47-48 have been canceled.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

Amendment

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C.) Rejection of claims 44 and 46 under 35 U.S.C. §103(a) as being unpatentable over *Gheith* in view of *Gupta* and *Copeland, et al. (U.S. 6,615,235)*("Copeland"):

Claims 44 and 46 have been canceled.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

Conclusion

In view of the foregoing, it is submitted that claims 1-40 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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